

BILL NO. Z-72-03-05

ZONING MAP ORDINANCE NO. Z-

2 08-72

AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. F-12

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F-12 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Commencing at a point on the North line of Section 29, Township 30 North, Range 13 East in Allen County, Indiana that is East of the Northwest corner of the Northwest quarter of said Section 29-30-13 a distance of 1535 feet, thence continuing East along said North section line a distance of 500 feet to a point, thence South 1 degree 26 minutes West a distance of 197 feet to a point, thence West a distance of 500 feet to a point, thence North 1 degree 26 minutes East a distance of 197 feet to the point of beginning, containing 2.26 acres, more or less, subject to County Road right of way across the North boundary thereof.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

APPROVED AS TO FORM  
AND LEGALITY

Eugene Kraush  
Councilman

W. J. Steele  
CITY ATTORNEY

Read the ordinance in full and on motion by Krausseconded by Hinga and duly adopted, placed on its passage.Passed (~~lost~~) by the following vote:

	AYES <u>8</u>	NAYS <u>1</u>	ABSTAINED _____	ABSENT _____ to-wit:
Burns	<u>✓</u>	_____	_____	_____
Hinga	<u>✓</u>	_____	_____	_____
Kraus	<u>✓</u>	_____	_____	_____
Nuckols	<u>✓</u>	_____	_____	_____
Moses	<u>✓</u>	_____	_____	_____
Schmidt, D.	<u>✓</u>	_____	_____	_____
Schmidt, V.	_____	<u>✓</u>	_____	_____
Stier	<u>✓</u>	_____	_____	_____
Talarico	<u>✓</u>	_____	_____	_____

Date

May 9, 1972

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. Z-08-72on the 9th day of May, 19 72.

ATTEST:

(SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_

at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m., E.S.T.

MAYOR

Read the first time in full and on motion by Kraus seconded by

Hinga and duly adopted, read the second time by title and referred to the Committee on Regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock

P.M., E.S.T.

Date: March 14, 1972 Charles W. Westerman  
CITY CLERK

Read the third time in full and on motion by Kraus

seconded by Hinga and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

AYES 8 NAYS 1 ABSTAINED \_\_\_\_\_ ABSENT \_\_\_\_\_ to-wit: 4

✓ Burns	✓	_____	_____	_____
✓ Hinga	✓	_____	_____	_____
✓ Kraus	✓	_____	_____	_____
✓ Nuckols	✓	_____	_____	_____
✓ Moses	✓	_____	_____	_____
✓ Schmidt, D.	✓	_____	_____	_____
Schmidt, V.	✓	✓	_____	_____
✓ Stier	✓	_____	_____	_____
✓ Talarico	✓	_____	_____	_____

Date April 25, 1972 Charles W. Westerman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (~~Resolution~~) No. \_\_\_\_\_ on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman John Nuckols  
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972-at the hour of 10:30 o'clock 4 M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_ at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m., E.S.T.

\_\_\_\_\_  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 14, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-03-05; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,


WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 20, 1972;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 27, 1972.

Certified and signed this  
10th day of April 1972.

  
\_\_\_\_\_  
George H. Roser  
Secretary

*hold 4/11/72*

Bill No. Z-72-03-05

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

AN ORDINANCE amending the City of Fort Wayne Zoning Map

No. F-12

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance (Do) PASS.

Eugene Kraus, Jr. Chairman

James S. Stier Vice-Chairman

William T. Hinga

Paul "Mike" Burns

Vivian G. Schmidt

CONCURRED IN

DATE 4-25-72 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

Nº 119

GENERAL FUND

FT. WAYNE, IND., Feb 25 1972

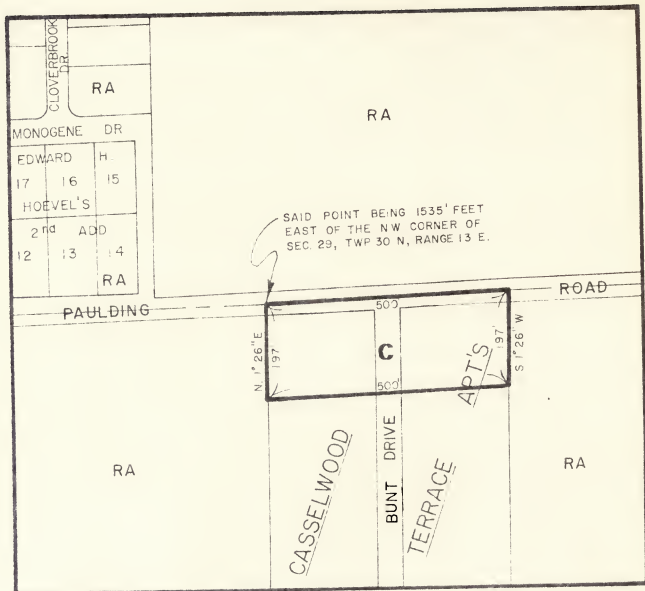
RECEIVED FROM Ben Bunt \$ 53.00

THE SUM OF Fifty dollars DOLLARS

ON ACCOUNT OF 2.26 acres prop. paid for

Int. No. 71-15420

W Hartman  
AUTHORIZED SIGNATURE



**C** CHANGE FROM RA TO R3

L-72-03-05

CITY PLAN COMMISSION  
City-County Building  
One Main Street  
Fort Wayne, Indiana

Mr. Ralph Blume  
344 Utility Building  
Fort Wayne, Indiana 46802

Dear Ralph:

The forwarding of this petition to rezone was delayed because of the existing requirement for a thorough check of the description by the City Engineering Department.

We received this petition on 2-25-72.

It would be appreciated if this petition could be assigned a Bill Number in the order that the request came to us.

Sincerely,

CITY PLAN COMMISSION

*Marshall Snyder*  
Marshall Snyder  
Draftsman

MS:mo



PETITION FOR ZONING ORDINANCE AMENDMENT

TO: COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA

No. \_\_\_\_\_

DATE FILED: \_\_\_\_\_

INTENDED USE: \_\_\_\_\_

By/We Benjamin E. Bunt and Lucile C. Bunt

Applicant's Name or Names

Do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana by reclassifying from an RA District to a R-3 District the property described as follows:

Being located in the Southeast and Southwest corner of the centerline intersection of Paulding Road and Bunt Drive. (For dedication of Bunt Drive, see Instrument No.

71-8499). Applicant is to understand this area is within the Flood Hazard Zone of the Trier Ditch, according to maps submitted by Corps of Engineers."

General Description (Prepared by Planning Staff)

Commencing at a point on the North line of Section 29, Township 30 North

Commencing at a point on the North line of Section 29, Township 30 North, Range 13 East in Allen County, Indiana that is East of the Northwest corner of the Northwest quarter of said Section 29-30-13 a distance of 1535 feet, thence continuing East along said North section line a distance of 500 feet to a point, thence South 1 degree 26 minutes West a distance of 197 feet to a point, thence West a distance of 500 feet to a point, thence North 1 degree 26 minutes East a distance of 197 feet to the point of beginning, containing 2.26 acres, more or less, subject to County Road right of way across the North boundary thereof.

*checked by Susan Embury for Kim Brown*

The Undersigned applicant (s) upon the execution and submission of this application and petition for zoning ordinance amendment, understands and agrees that:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or for the ordinance to be taken under advisement is filed within the required time, the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. Also, in the event, a request is filed for continuance or delay in the consideration of an ordinance, it shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and informing him of the time and place of the next meeting at which the proposed ordinance will be considered. In the event the time and place of the meeting is not known at the time that the request for continuance is filed, it shall be the duty of the petitioner to notify all persons notified by the Plan Commission Office when the time and place of hearing is determined.

xxWe hereby certify that as the undersigned, ~~xxxxx~~/ We are the owner (s) of fifty-one percentum or more of the property described in this petition.

Benjamin E. Bunt

Name

6102 Holgate Drive

Address

*Benjamin E. Bunt*  
Signature

Lucile C. Bunt

6102 Holgate Drive  
Fort Wayne, Indiana

*Lucile C. Bunt*  
Signature

This petition for zoning ordinance amendment prepared by:  
NIETER & DIXON  
Thomas J. Dixon  
Name Address

344 Utility Building  
Fort Wayne, Indiana

742-7135

Telephone Number

City Plan Commission - One Main Street - City-County Building - Fort Wayne, Indiana - 423-7571

May 1, 1972

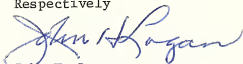
Charles W. Westerman  
City Clerk  
Fort Wayne, Indiana

Mr. Charles W. Westerman;

Burns Indiana Statutes Sec. 48-1502 and Sec. 48-1406 provide that the Mayor shall approve or disapprove, in writing within ten days after receiving it an ordinance passed by the City Council. Furthermore it is provided if the Mayor fails to discharge his duty by approving or disapproving, such failure shall be deemed a disapproval.

As the above relates to Bill. No. Z 72-03-05. The Mayor's letter of April 27th, 1972, can constitute his disapproval. Therefore the Mayor's letter of April 27th, 1972, should be published in the Journal of the Common Council, under the heading quote "~~Commission~~ from the Mayor". The bill should be presented again to the Council at its next meeting, and if it desires to pass it over the disapproval of the Mayor, then it must do so by a two third vote.

Respectively



John H. Logan  
Associate City Attorney

Above Bill was disapproved by  
The Mayor - See Communication to Common  
Council dated April 27, 1972 shown in  
Journal of the Proceedings of the Common Council  
of May 9, 1972

Common Council-City of Ft. Wayne  
(Governmental Unit)

To.....NEWS-SENT INEL.....Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

77

1

78

## COMPUTATION OF CHARGES

78 lines.....columns wide equals.....equivalent lines at.....  
cents per line \$ 22.46

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 22.46

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type.....5½.....point

Number of insertions.....2.....

Size of quad upon which type is cast.....5½.....

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 31, 1972

Title Clerk

## Legal Notices

Notice is hereby given that on the 9th day of May, 1972, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Zoning Map No. 2-68-72 Ordinance to-wit:

RETURNED TO COMMON COUNCIL UNDESIGNED BY MAYOR BUT PASSED BY COMMON COUNCIL OVER MAYOR'S VETO BILL NO. 2-72-03-05 BILL NO. 2-72-03-05

ZONING MAP ORDINANCE NO. 2-68-72 AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 2-68-72 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-2 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F-12 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Commencing at a point on the North-line of Section 29, Township 30 North, Range 13 East in Allen County, Indiana that is East of the Northwest corner of the Northwest quarter of said Section 29-30-13 a distance of 1535 feet; thence continuing East along said North section line a distance of 500 feet to a point, thence South 1 degree 26 minutes West a distance of 197 feet to a point, thence West 1 degree 26 minutes North a distance of 197 feet to the point of beginning, containing 2.26 acres, more or less, subject to County Road Right-of-way across the North boundary thereof.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Councilman Bill No. 2-72-03-05 was represented in full and on motion by Kraus seconded by Hingo and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight  
Burns, Hingo, Kraus, Nuckolls, Moses, D. Schmidt, Stier, Talarico  
Nays: One  
V. Schmidt

Date: May 9, 1972

CHARLES W. WESTERMAN, City Clerk Passed and adopted by the Common Council of the City of Fort Wayne, Indiana on Zoning Ordinance No. 2-68-72 on the 9th day of May, 1972.

ATTEST: (SEAL)

Charles W. Westerman, City Clerk John Nuckolls, Presiding Officer I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full and complete copy of Bill No. 2-72-03-05 Zoning Map Ordinance No. 2-68-72 passed by the Common Council on the 9th day of May, 1972.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 10th day of May, 1972.

CHARLES W. WESTERMAN, CITY CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that she is Clerk of the

NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

May 20, 1972

May 27, 1972

Subscribed and sworn to before me this 31st day of May 1972

Notary Public

My commission expires March 6, 1974

Common Council-City of Ft. Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

-

77

1

78

## COMPUTATION OF CHARGES

78 lines, columns wide equals equivalent lines at 28¢ cents per line 22.46

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

22.46

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 31, 1972

Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

In state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

May 20, 1972

May 27, 1972

Subscribed and sworn to before me this 31st day of May 1972

Notary Public

My commission expires March 8, 1974

Notice is hereby given that on the 9th day of May, 1972, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Zoning Map No. Z-68-72 Ordinance, to-wit:

RETURNED COMMON COUNCIL  
UNSIGNED BY MAYOR BUT PASSED  
BY COMMON COUNCIL OVER MAYOR'S VETO BILL NO. Z-72-03-05  
NO. Z-72-03-05  
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-12 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R 3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1964, as amended by Council Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F-12 referred to therein, shall be listed by Section 5, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Commencing at a point on the North line of Section 29, Township 30 North, Range 13 East in Allen County, Indiana that is East at the Northwest corner of the Northwest quarter of said Section 29-30-13 a distance of 1325 feet, thence continuing East along said North section line a distance of 500 feet to a point, thence South 1 degree 26 minutes West a distance of 197 feet to a point, thence West a distance of 500 feet to a point, thence North 1 degree 26 minutes East a distance of 197 feet to the point of beginning, containing 2.28 acres, more or less, subject to County Road right-of-way across the North boundary thereof.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Councilman Bill No. Z-72-03-05 was represented in full and on motion by Kraus seconded by Hings and duly adopted, placed on its passage, PASSED by the following vote:

Ayres: Eight  
Burns, Hings, Kraus, Nuckolls, Moses, D. Schmidt, Siler, Talarico  
Nays: One  
V. Schmidt

Date: May 9, 1972

CHARLES W. WESTERMAN,  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Ordinance No. Z-68-72 on the 9th day of May, 1972.

ATTEST: (SEAL)

Charles W. Westerman, City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full and complete copy of Bill No. Z-72-03-05 Zoning Map Ordinance No. Z-68-72 passed by the Common Council on the 9th day of May, 1972.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 10th day of May, 1972.

CHARLES W. WESTERMAN  
CITY CLERK